

Water Supply Construction

Permitting Process Project Manual



*With instructions for participating in the
Drinking Water State Revolving Fund Program*



Iowa Department of Natural Resources
October 2006



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INTRODUCTION

Issuing drinking water construction permits is the responsibility of the Iowa Department of Natural Resources (DNR), specifically the Water Supply Engineering Section. A public water supply construction permit must be obtained from DNR prior to the construction or modification of any source, treatment, storage or distribution system of a public water supply.

When a city or county decides to initiate a drinking water project, many parties may become involved in the process, including:

- DNR field offices;
- Consulting engineers;
- Councils of government and economic development organizations;
- Funding agencies, including the Iowa Finance Authority (DNR's financial partner for the Drinking Water State Revolving Fund loan program), Department of Economic Development, or USDA Rural Development;
- Financial advisors and bond counsel;
- Consulting parties for environmental and historical reviews;
- Contractors; and
- Members of the public and other interested parties.

The drinking water construction permitting process described in this manual was created to foster greater coordination, communication, and cooperation among all of the parties involved. Following the process outlined in this manual will help eliminate delays, avoid problems, and enable the success of drinking water construction projects.

The construction permitting process applies to all projects. However, financing a project through programs involving federal funds, such as Community Development Block Grants, the Drinking Water State Revolving Fund (DWSRF), or Rural Development, can add other requirements. This manual also discusses in detail the requirements of the DWSRF program and notes how the loan process interfaces with the construction permitting process. If other financing programs are used, the applicant should work with those program managers to determine additional requirements.

Progressing through drinking water construction permitting is a step-by-step process as outlined in this manual. All the materials and forms you will need, such as construction schedules, program applications, and technical information, are included or referenced to web sites.

Drinking Water State Revolving Fund

- ***Low-interest financing for planning and design, construction, replacement or rehabilitation of a public water supply system, and source water protection***
- ***Assistance with meeting federal requirements***
- ***Disadvantaged communities may receive up to 30 year terms***
- ***Recent projects ranged from a \$75,000 loan for planning and design, to \$6.5 million for construction of a new water treatment facility***

If at any time there are questions about the process, please feel free to contact the DNR Water Supply Engineering section.

WATER SUPPLY CONSTRUCTION PERMITTING PROCESS

The following section of the manual outlines the steps involved in project planning, design, and construction. Also included or referenced in this manual are checklists, fact sheets, and related materials. All capital improvement projects follow this basic process.

Steps in the process that are associated with the Drinking Water State Revolving Fund are italicized and highlighted.

PLANNING AND ENVIRONMENTAL REVIEW

Step 1 Owner hires Consultant.

Once the Owner identifies a need for drinking water construction improvements, the Owner will contract with an engineer consultant (Consultant). In some cases, the need may have been identified by the DNR, which may either advise the Owner to initiate planning or require it through a compliance/enforcement action. An owner may also identify its need for study and voluntarily proceed into the planning process. The Consultant will investigate and evaluate the issues and make recommendations for needed improvements.

More information on hiring an engineering consultant can be found on the Consulting Engineers Council of Iowa's web site at <http://www.iaengr.org/QBS.pdf>.

Step 2 Owner Applies for P&D Loan if Needed.

The Owner may choose at this point to apply for a planning and design loan through the Drinking Water State Revolving Fund (DWSRF). Whether or not a DWSRF construction loan will be sought, planning and design (P&D) loans are available through the Iowa Finance Authority to cover the costs incurred for engineering work and fees related to project preparation and submittal. Interest rate for P&D loans is 0% for up to three years, and the P&D loan can be rolled into a DWSRF construction loan or may be repaid with other permanent financing. The planning and design costs must be directly related to the drinking water project and must be eligible under the DWSRF program.

Exhibit 1: Planning and Design Loan Fact Sheet

A link to the P&D loan information is on <http://www.iowasrf.com>.

Step 3 Consultant Prepares PER for DNR Approval.

In consultation with the Owner, the Consultant prepares a Preliminary Engineering Report (PER). All SRF projects must have a PER. Following are examples of Non-SRF projects that will require submittal and approval of a PER:

- Projects that are designed to correct Maximum Contaminant Level (MCL) violations, Treatment Technique (TT) Violations or Action Level (AL) exceedences
- A new water source if needed to correct shortfalls in capacity or if expected to have dissimilar water quality compared to existing sources
- Primary source connections to rural systems
- A new treatment plant or significant modification of an existing water plant including increasing the loading rates of unit processes, increasing the plant capacity, modifying the treatment process which will change the characteristics of the finished water
- A new water storage structure or significant modification of an existing structure that may impact C-T, modify system pressures, upgrade the storage requirements to meet Ten States standards or compensate for shortfalls in source or treatment plant capacity
- A significant expansion of the service area, where demand surpasses facility capacity (based on a 20-hr day), or results in system pressures dropping below 20 psi during any flow condition

The PER should include a description of the current drinking water supply system, including a discussion of existing and potential problems or failures in the system and the status of compliance with state and federal criteria. Documents should include but not be limited to: Summary of the design criteria; operation requirements, where applicable; general layout; detailed plans; specifications; cost estimates; and water purchase contracts, where applicable. *Recommended Standards for Water Works*, published by the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers provides more detail on requirements for the PER. This publication may be ordered through <http://www.hes.org>.

If the Owner is **not** seeking a DWSRF loan, the PER may be submitted to DNR at this point and you may skip to **Step 7**.

Please note: If changes are made after the approval of the PER, an addendum must be submitted.

Exhibit 2: Preliminary Engineering Report Checklist

Step 4 Owner Prepares Viability Assessment.

Applicants for Drinking Water SRF loans must complete a Viability Self-Assessment using the *Manual for Iowa Water Systems Viability* to demonstrate their technical, financial, and managerial capacity. There are two versions of the manual, one for rural water systems and municipalities, and one for privately-owned systems, homeowners associations, mobile home parks, and very small municipalities. The manuals are available on-line at <http://www.iowadnr.com/water/viability/manual.html>.

Please note: Viability Assessment is also required for new public water supply systems.

Step 5 *Owner/Consultant Prepares IUP Application.*

If the Owner is planning to seek DWSRF construction financing, the Intended Use Plan application must be prepared and signed. This identifies the type of project and amount of funding requested for placement on the project priority list of the DWSRF Intended Use Plan (IUP). Projects are scored and ranked based on their priority for funding. IUPs are developed on an annual basis with quarterly updates as needed. The IUP now asks for information on qualifying for Disadvantaged Community status.

Please note: The IUP application is not an application for a loan. DWSRF financing application materials may be obtained from the Iowa Finance Authority (www.iowafinanceauthority.gov or 800-432-7230). See Step 20 for timing of construction loan application.

Exhibit 3: DWSRF Intended Use Plan Application

IUP applications are available on-line at www.iowasrf.com.

Step 6 *Owner/Consultant Submits DWSRF Information.*

To be eligible for placement on the DWSRF Intended Use Plan, the Owner must submit the following:

- DWSRF Intended Use Plan Application
- Preliminary Engineering Report
- Viability Self-Assessment

Step 7 **DNR Assigns Project Manager to Begin Reviewing Project.**

DNR assigns a project manager (PM), who will contact the Owner and Consultant to discuss project issues, schedules, required permits, and other information as needed. For some projects, the project manager may request and schedule a meeting.

Step 8 **DNR PM Reviews PER.**

The DNR project manager reviews the Preliminary Engineering Report and either seeks additional information or recommends approval or denial. The Owner and Consultant are notified when the PER is approved. For non-DWSRF projects, you may skip to **Step 16** for the site survey.

Step 9 *DNR PM Reviews Viability Assessment.*

The DNR project manager reviews the Viability Self-Assessment to determine if the Public Water Supply is technically, managerially, and financially capable of maintaining a system that can consistently and reliably provide safe drinking water. The Owner is notified when the Viability Assessment is approved or conditionally approved.

Step 10 *DNR PM Scores Project for IUP.*

The DNR project manager assigns the project a score, using the project point ranking system contained in DNR program rules. With this score, the project is placed on the Intended Use Plan (IUP) for approval in the following quarter. If the project will not proceed to construction financing during the current state fiscal year, it is placed on a contingency list for future funding. Projects on the contingency list may be moved to the fundable list any time as needed.

Project priority lists are published for public comment and must be approved by the Environmental Protection Commission before projects can be financed.

Step 11 *Consultant Prepares Environmental Review Information.*

Using Exhibit 4, the Environmental Review Services Checklist, the Consultant prepares and gathers required project information. This material will be provided to the DNR ERS Coordinator as part of the project meeting in **Step 12**.

Exhibit 4: Environmental Review Services Checklist

Step 12 *DNR Holds Project Meeting and Begins ER.*

When a project is placed on the DWSRF IUP, DNR will schedule a project initiation meeting including the DNR PM, the Owner, the Consultant, and the DNR Environmental Review Services (ERS) Coordinator. The primary purpose of the meeting is to coordinate the Environmental Review (ER) which is a requirement of the DWSRF and other federal funding programs. In addition, the PM will discuss any other project planning or permitting issues.

Step 13 **DNR Conducts Site Survey Process.**

Site surveys are required for well, surface water intake, and below-grade storage tank projects. The Consultant submits Schedule 4 (along with Schedule 1a) and supporting maps to the DNR project manager. The project manager works with the DNR field office to obtain a site survey report. The report is approved or denied, or the project manager may add conditions. Once the site survey process is completed, the project manager notifies the Consultant and the Owner.

All forms and schedules are available on-line at
<http://www.iowadnr.com/water/wse/conpermits.html>.

Step 14 *DNR ERS Coordinator Prepares EID.*

Using the materials provided by the Consultant, the DNR ERS Coordinator will obtain clearances from the consulting parties which are listed in Exhibit 4. Using the clearances received, the ERS Coordinator will prepare an Environmental Information Document (EID), which summarizes responses from consulting parties and any environmental or historical impacts expected from the project.

Please note: This is a change from previous practice, which required the Owner and Consultant to obtain clearances. DNR will cooperate with other agencies when CDBG or RD funding is involved.

Step 15 *DNR ERS Coordinator Notifies Owner to Schedule Public Hearing.*

When appropriate information has been collected, the ERS Coordinator will discuss with the Owner the timing of a public hearing. A local public hearing on the proposed project is required for the DWSRF. Thirty-day notice must be given before the date of the hearing. The Owner will prepare and publish the notice.

Please note: By federal regulations for DWSRF projects, the Owner must comply with a 30-day notice period, even if other funding agencies only require 4-20 days.

Exhibit 5: Public Notice Format Example

Step 16 *Owner Holds DWSRF Public Hearing.*

The purpose of the hearing is to present the potential environmental and financial impacts and allow opportunity for public input on the project. Resolution of any significant local issues may be necessary.

Exhibit 6: Public Hearing Checklist

Step 17 *Owner Submits Public Hearing Results.*

After the public hearing is held, the Owner submits to the ERS Coordinator the following:

- Copy of notice of public hearing showing proof of publication
- Minutes from the public hearing

Step 18 Consultant Pursues Additional Permits as Required.

Additional permits may be needed depending on the type of project. An NPDES discharge permit will be required if there is a discharge to a water of the state. For new wells, surface water sources or increased water demands, a water use permit or modification may be necessary. Storm water permits may be required for construction projects. Questions regarding additional permits, such as for solids disposal or air quality, should be directed to the DNR project manager.

For non-DWSRF projects, you may skip to **Step 21** once this step is completed.

Step 19 DNR Prepares and Issues FNSI.

Assuming no issues have been discovered during the Environmental Review, the ERS Coordinator prepares a Finding of No Significant Impact (FNSI). The ERS Coordinator distributes the FNSI to interested parties for a mandatory 30-day period to allow input or comments.

Step 20 DNR Contacts Owner When FNSI Clears.

After the 30-day period, if there are no significant comments or issues, the FNSI is considered cleared and the project can proceed. The ERS Coordinator will notify Owner as well as the Iowa Finance Authority, which will communicate with the Owner on how to obtain a construction loan.

The DWSRF loan application, which must be completed prior to signing a loan, and contact information for the Iowa Finance Authority are available on-line at www.iowafinanceauthority.gov or by calling 800-432-7230.

The project is now ready for the DESIGN phase.

PROJECT DESIGN

Step 21 Consultant Prepares Project Design.

Using *Recommended Standards for Water Works*, published by the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, and Iowa Administrative Code 567 Chapter 43, the Consultant prepares the plans and specifications for the project.

Please note: For DWSRF projects, development of plans and specifications can take place at any time after the PER is approved, but construction permits will not be issued until after the FNSI clears.

Step 22 Owner/Consultant Prepare Contract Specifications and Plans.

Please note: Certified well contractors are required for all well projects.

Step 23 Owner/Consultant Prepare DWSRF Front-Ends Documents.

The Owner must include several required front-end documents in contract specifications. These front-end specifications will be reviewed by the DNR project manager as part of the construction permit approval process to ensure compliance with state and federal laws and regulations.

Exhibit 7: Required Front-End Documents

Step 24 Consultant Submits Construction Permit Application and Fee.

A public water supply construction permit must be obtained from Iowa DNR prior to the construction or modification of any source, treatment, storage or distribution system of a public water supply. To obtain a construction permit, plans and specifications, along with the applicable construction permit application forms and fees, must be submitted to the Iowa DNR.

In addition, for proposed wells, the Owner must submit proof of legal control of the land for a 200-foot radius around the well (see IAC 567 Chapter 43.3(7) for more information).

Schedule 1a, requesting general information, and Schedule 1c, the fee calculation form along with applicable fee, must be provided with all applications for a construction permit. The other forms (schedule 2a through 16d) are required based upon the nature of the project (e.g., water mains or well construction). The Water Supply Service Agreement form is required for all projects where the applicant is someone other than the supplier of the water.

All forms and schedules are available on-line at
<http://www.iowadnr.com/water/wse/conpermits.html>.

Step 25 DNR Issues Construction Permit.

Once the construction permit is issued, the project is ready to proceed to bidding, financing, and CONSTRUCTION

PROJECT CONSTRUCTION

Step 26 *Owner Bids Project and Signs DWSRF Loan.*

Once the construction permit is issued, the Owner goes out for bids for the project. At this point, if they haven't done so already, the Iowa Finance Authority will contact the Owner about closing the DWSRF loan. If the community qualifies for Disadvantaged Community status, the Consultant can use the Loan Term Worksheet to calculate the weighted average useful life of the project.

Exhibit 8: DWSRF Disadvantaged Community Loan Term Worksheet

Step 27 *Consultant Submits Bid Document Package to DNR.*

When bids are received and the Owner accepts a bid proposal, the Consultant prepares and submits to DNR a packet of documents. Required documents, which are listed in Exhibit 8, include bid information, contractor certifications, contracts, and other information. When all the information is complete, DNR issues to the Owner a letter of concurrence in award, which also explains the amount of bid that is eligible for DWSRF reimbursement.

Exhibit 9: Bid Document Checklist

Step 28 *During Construction, DNR Reviews Cost Eligibility.*

After signing a DWSRF loan, the Owner will submit reimbursement requests to the Iowa Finance Authority as costs are incurred. The DNR project manager will review those requests to make sure all the costs claimed are eligible.

Step 29 *During Construction, Owner Submits Change Orders to DNR.*

Change orders and addenda that affect the scope or nature of the project must be submitted to the DNR project manager before enacting. For all DWSRF projects, this also includes change orders that could affect the project location. These changes could affect project eligibility or funding. All change orders and addenda must be submitted for approval before final loan disbursements are made.

Please note: All change orders and addenda require a signature and seal from the Consultant.

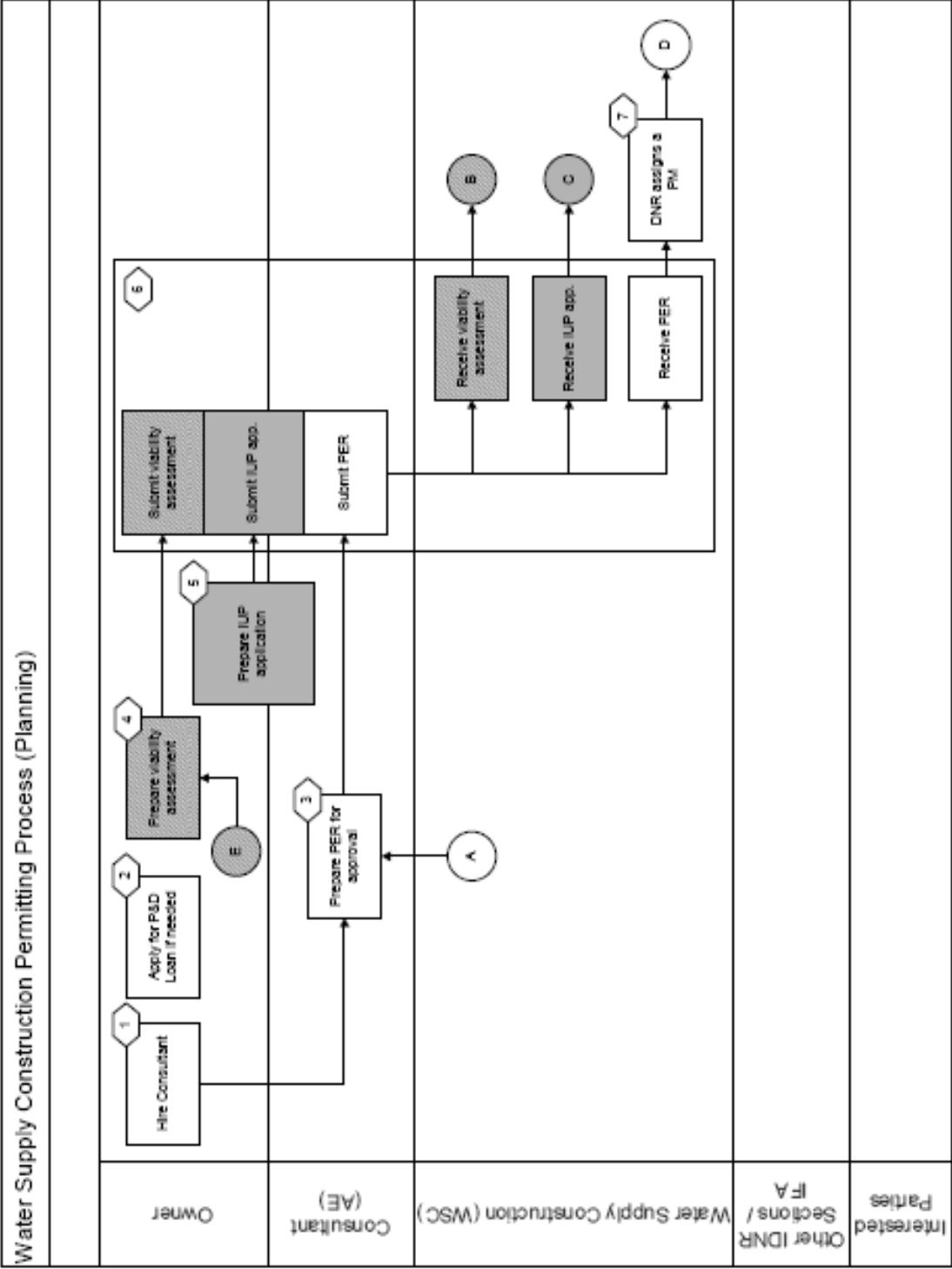
Step 30 *DNR Conducts Inspections.*

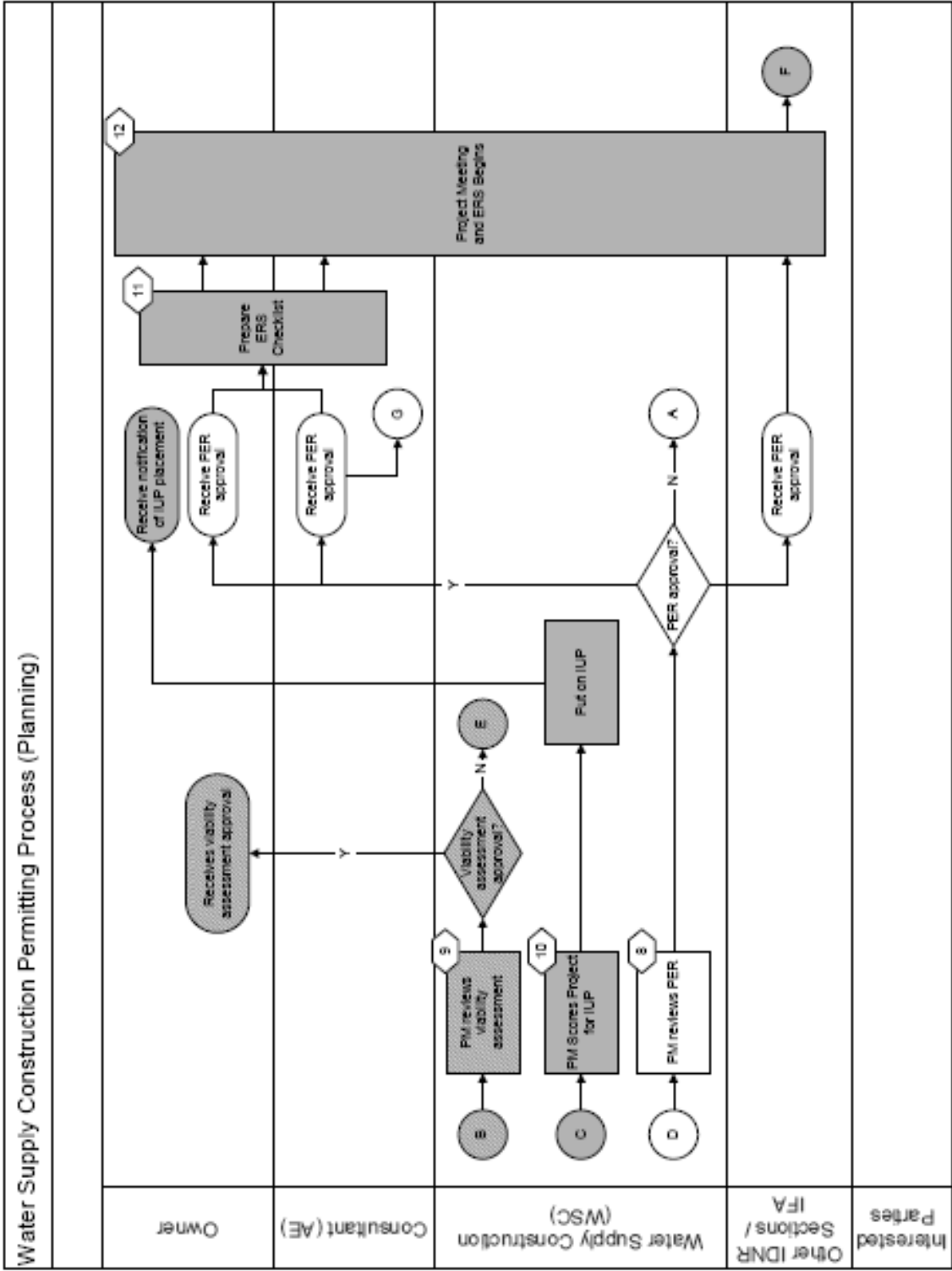
For non-DWSRF projects, DNR may conduct interim and/or final inspections as needed.

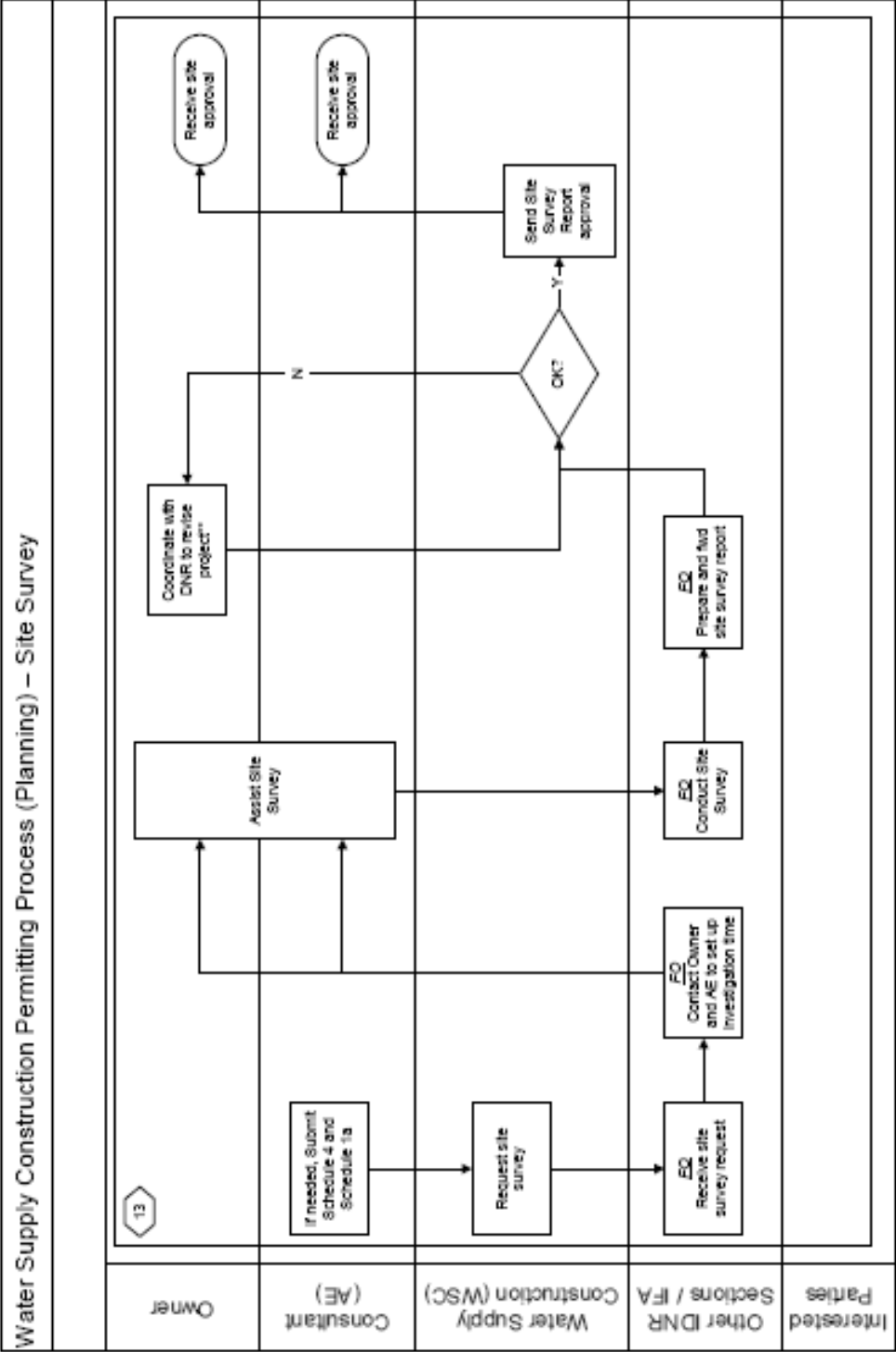
For DWSRF projects, interim inspections at appropriate times in the construction schedule may be conducted as needed, and a final inspection will be conducted for all projects. The final

inspection will be conducted after the Owner has notified the Iowa Finance Authority that the construction is completed.

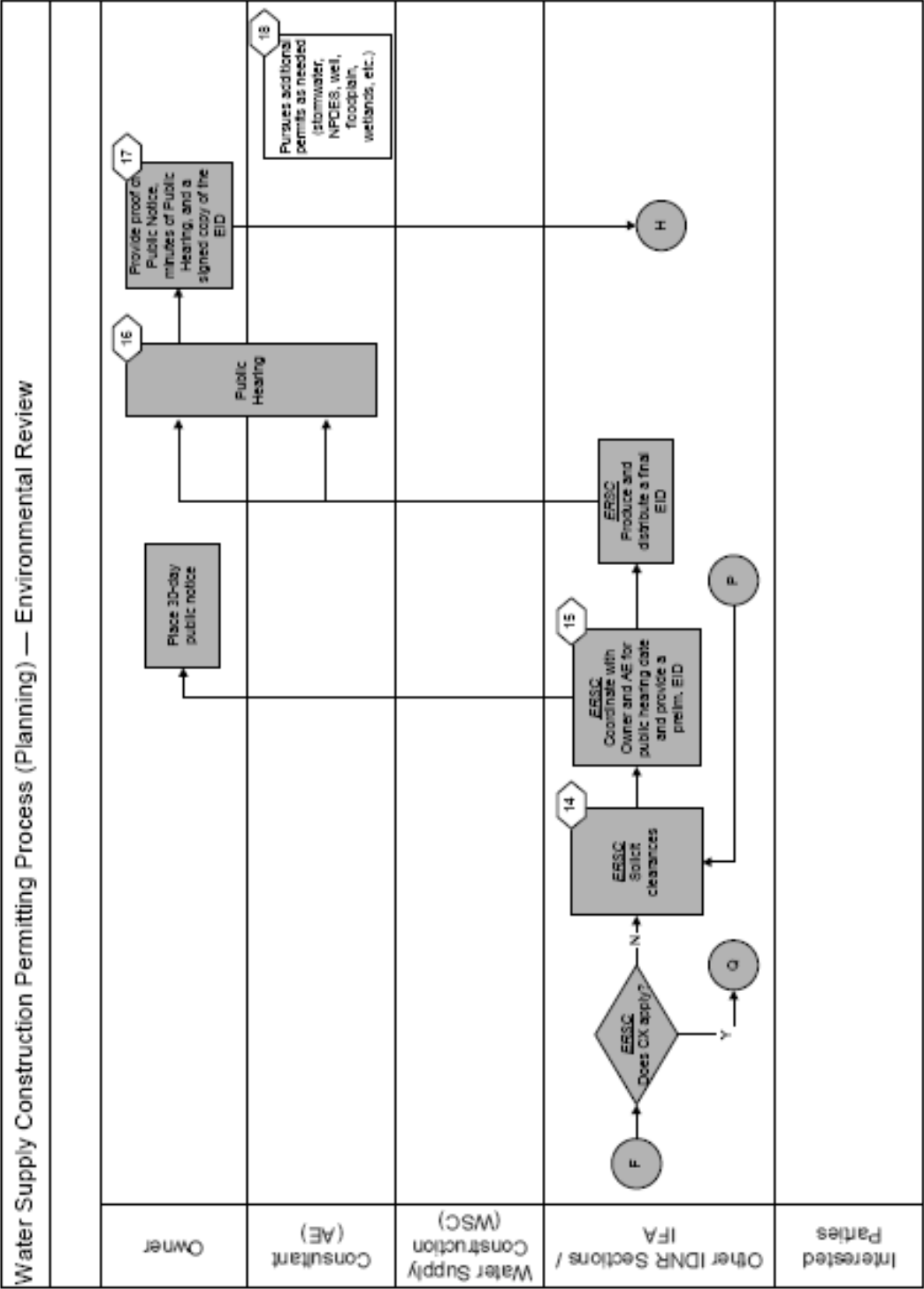
***END OF WATER SUPPLY CONSTRUCTION PERMITTING PROCESS
THANK YOU!***

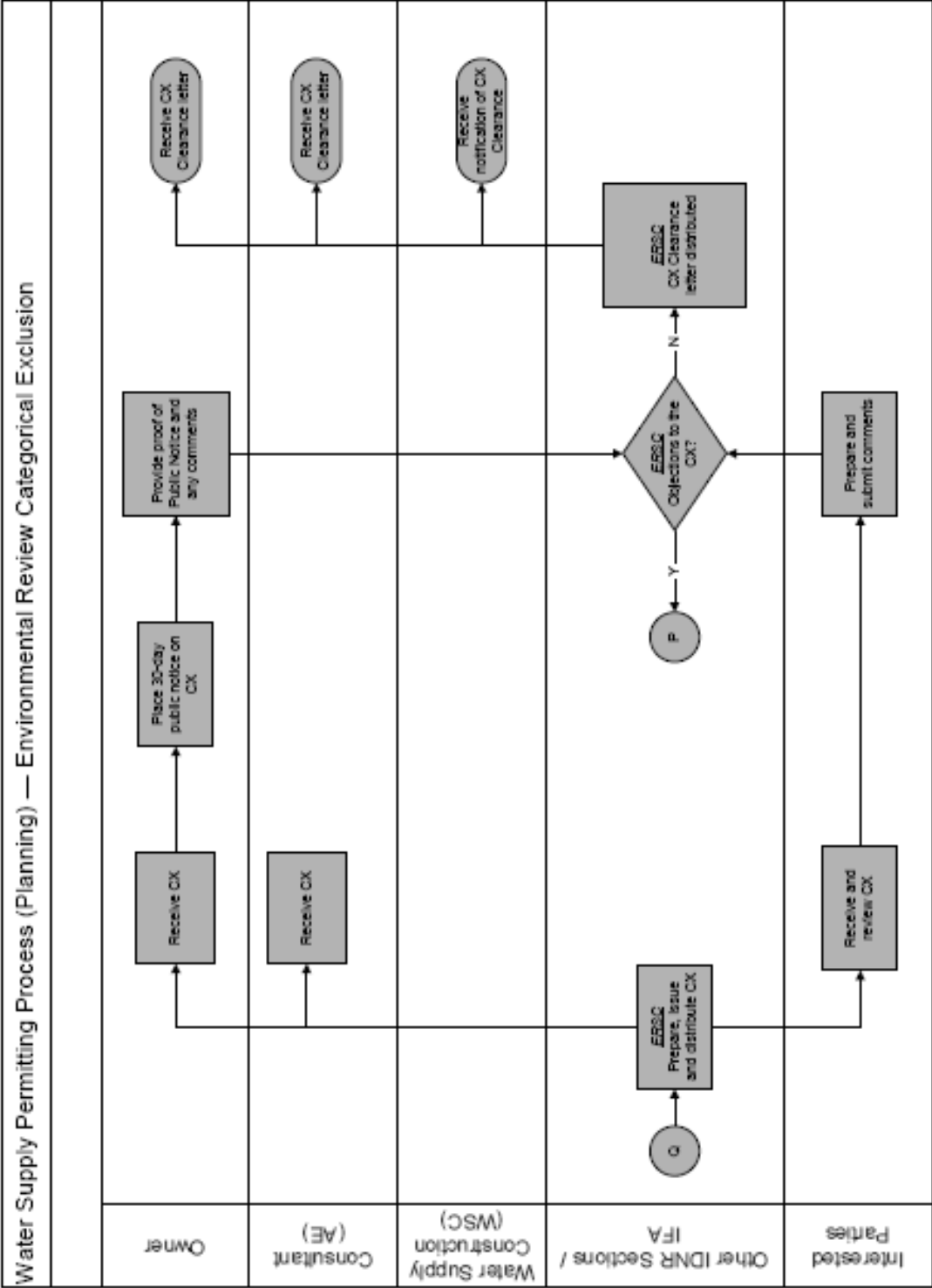


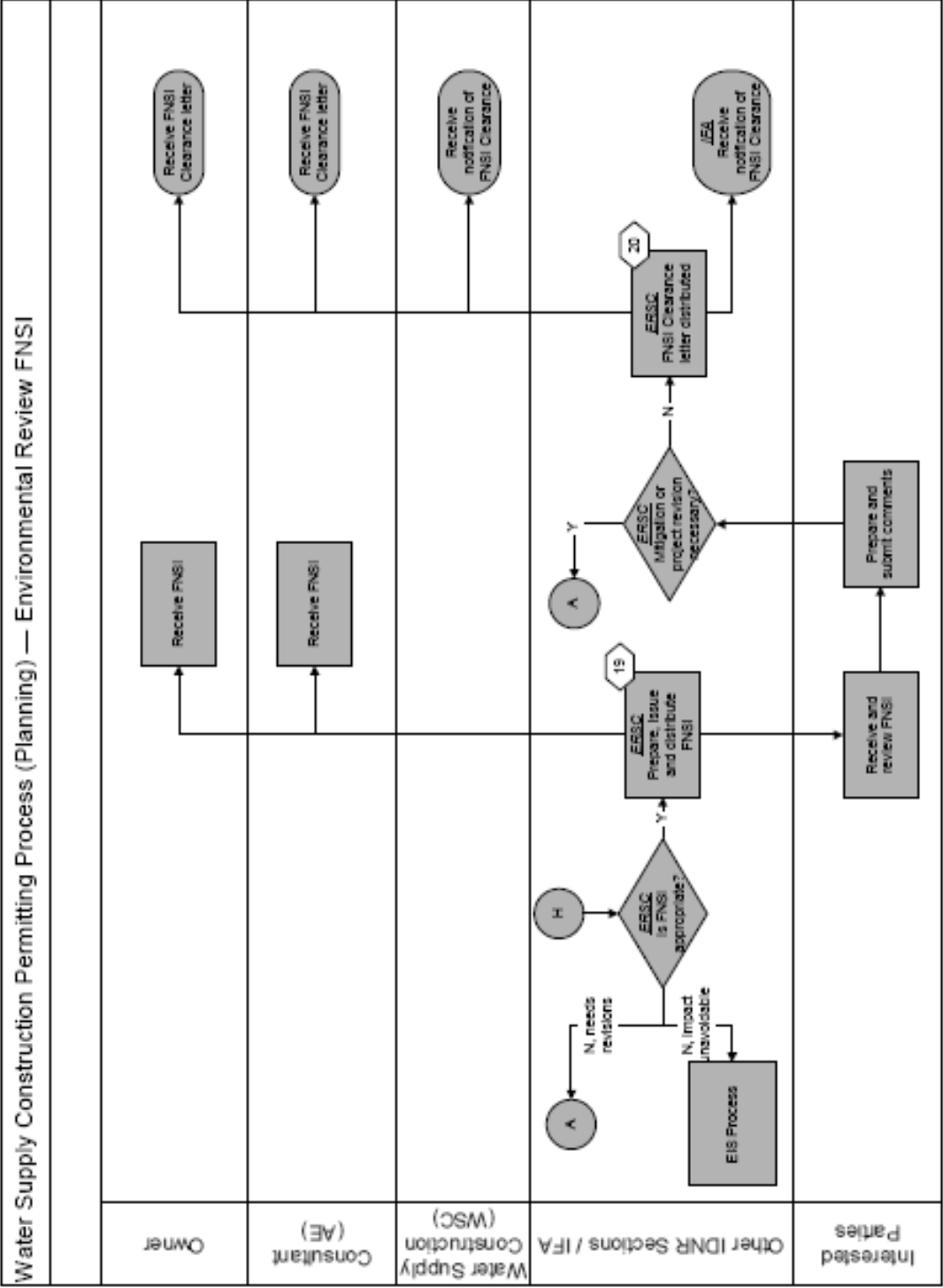


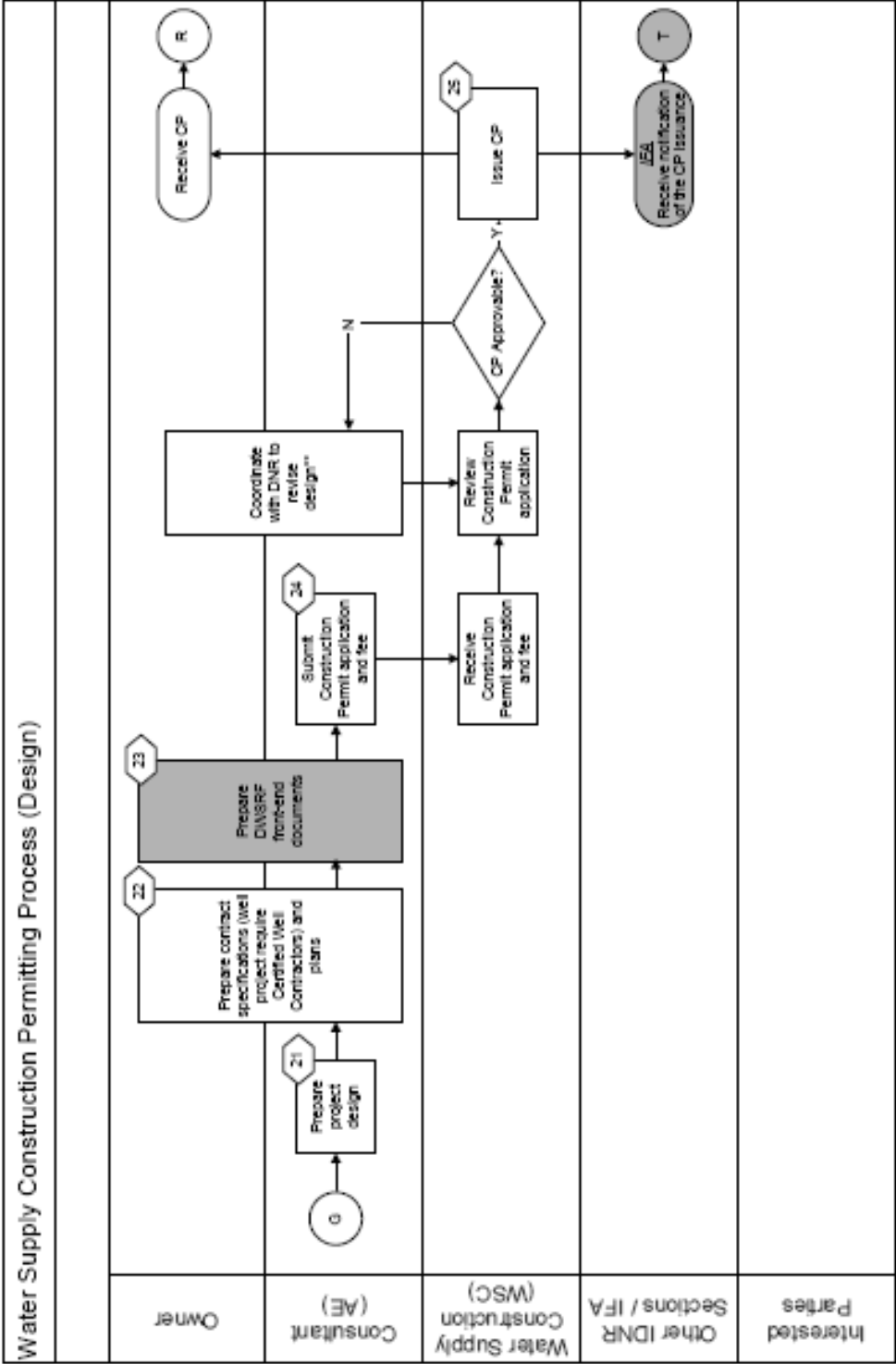


**If project revision is required and the project is SRP, be sure to contact the ERSC for an assessment of the impact of this revision.

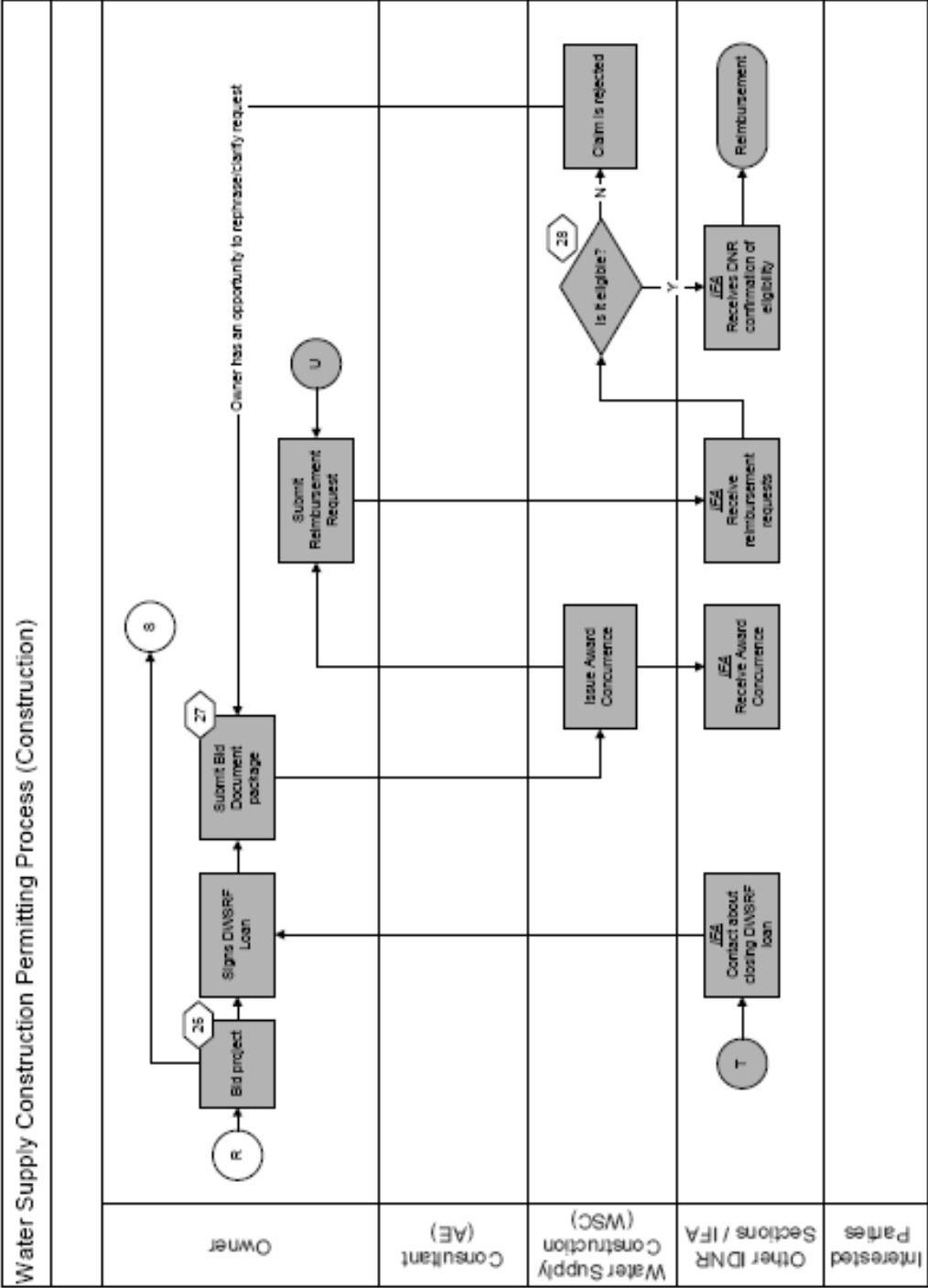


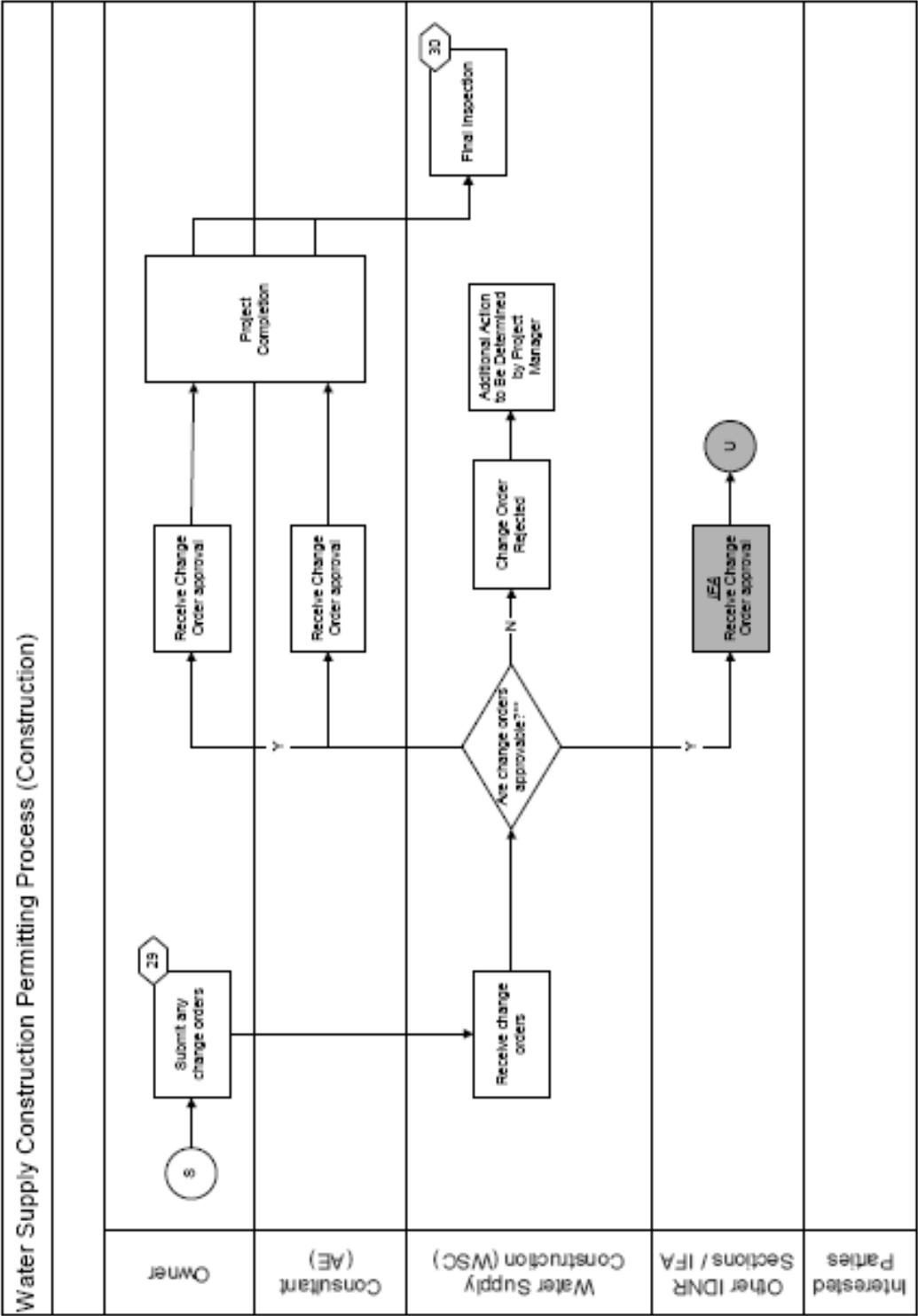






**If project revision is required and the project is SRP, be sure to contact the ERSC for an assessment of the impact of this revision.





"If project revision is required and the project is SRF, be sure to contact the ERSC for an assessment of the impact of this revision."

Exhibit 1

Planning & Design Loans

For Wastewater, Storm Water & Drinking Water Infrastructure

Planning & Design Loans

- Financial assistance for communities that are in the planning and design phase of a proposed water pollution control or drinking water project.
- **0% interest for up to 3 years**
- **NO** initiation fee
- **NO** servicing fee
- **NO** minimum loan amount
- **NO** maximum loan amount
- Eligible costs include the following: Engineering fees, archaeological surveys, environmental studies, and fees related to project plan preparation and submission.
- Loans will be rolled into a SRF construction loan **OR** may be repaid upon permanent financing.
- **The project planning and design costs must be directly related to the proposed wastewater, storm water or drinking water project.**

Water pollution control projects:

- Construction of treatment plants or improvements to existing facilities
- Sewer line extensions to existing unsewered properties
- Combined sewer overflow corrections
- Infiltration/inflow projects
- Storm water projects that have an environmental benefit

Drinking water projects:

- Construction of treatment plants or improvements to existing facilities
- Water line extensions to existing unserved properties or improve system hydraulics
- Water storage facilities, excluding raw water storage reservoirs
- Wells

Eligible Entities:

- Cities, towns, counties, regional sewer/water districts, conservancy districts and water authorities eligible for water pollution control and drinking water SRF loans.
- Private and not-for-profit facilities eligible for drinking water SRF loans.

Application forms are available at: www.iowafinanceauthority.gov or www.iowasrf.com

For more information, contact:

Lori Beary
515-725-4965
lori.beary@iowa.gov



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Exhibit 2
Iowa Department of Natural Resources
Water Supply Engineering Section
Water Supply Preliminary Engineering Report Checklist

1. General Information

- ☐ a. Description of existing water supply facilities
- ☐ b. Identification of area served
- ☐ c. Description of nature and extent of area to be served during design period
- ☐ d. Appraisal of future requirements for service, including existing and potential industrial, commercial, institutional and other water supply needs

2. Justification of Project

- ☐ Where two or more solutions exist for providing public water supply facilities, discuss the alternatives. Give reasons for selecting the one recommended, including financial considerations, operational requirements, operator qualifications, reliability, and water quality considerations.

3. Soil, Groundwater Conditions, and Foundation Problems

Include a description of:

- ☐ a. Character of the soil through which water mains are to be laid
- ☐ b. Foundation conditions prevailing at sites of proposed structures
- ☐ c. Approximate elevation of ground water in relation to subsurface structures

4. Water Use Data

- ☐ a. Description of population trends indicated by available records and estimated population which will be served by the proposed water supply system 20 years in the future in five year intervals
- ☐ b. Present water consumption and the projected average and maximum daily demands, including fire flow
- ☐ c. Present and/or estimated yield of the sources of supply
- ☐ d. Unusual occurrences

5. Flow Requirements

- ☐ a. Hydraulic analyses based on flow demands and pressure requirements
- ☐ b. Fire flows, when fire protection is provided, meeting the recommendations of the Insurance Services Office or other similar agency for the service area involved

Exhibit 2 Continued

6. Sources of Water Supply

Describe the proposed sources of water supply to be developed, the reasons for their selection, and provide information as follows:

a. Surface Waters

- ☐ (1) Hydrological data, stream flow, and weather records
- ☐ (2) Safe yield, including all factors that may affect it
- ☐ (3) Maximum flood flow
- ☐ (4) Description of the watershed
- ☐ (5) Summarized quality of the raw water with reference to fluctuations in quality, meteorological conditions, etc.

b. Ground Waters

- ☐ (1) Sites considered
- ☐ (2) Advantages of site selected
- ☐ (3) Elevations with respect to surroundings
- ☐ (4) Probable character of formations through which the source is to be developed
- ☐ (5) Geologic conditions affecting the site, such as anticipated interference between proposed and existing wells
- ☐ (6) Summary of source exploration, test well depth, and method of construction, placement of liners or screens, test pumping rates and their duration, water levels and specific yield, water quality

7. Proposed Treatment Processes

Summarize and establish the adequacy of proposed processes and unit parameters for the treatment of the specific water under consideration. Alternative methods of water treatment and chemical use should be considered as a means of reducing waste handling and disposal problems.

8. Storage

Describe the existing and proposed storage structures for the water supply system, including condition and maintenance of existing storage tanks. For proposed storage, indicate whether it will be elevated or ground storage, provide justification for size and elevation, and ensure that average day supply is available. (Maximum day storage is recommended.)

9. Distribution

Describe existing distribution system and proposed modifications. Provide existing pressures and flows.

Exhibit 2 Continued

10. Waste disposal

Discuss the various wastes from the water treatment plant, their volume, proposed treatment and points of discharge. If discharging to a sanitary sewerage system, verify that the system, including any lift stations, is capable of handling the flow to the sewer treatment works and that the treatment works is capable and will accept the additional loading. If discharging to a water of the state, verify that an NPDES permit will be obtained.

11. Project Sites

Discuss the various sites considered and advantages of those recommended.

12. Standby Power

Dedicated standby power is required so that water may be treated and pumped to the distribution system during power outages to meet the average day demand. Provide a description of standby power capability and address any deficiencies and how they will be remedied.

13. Financing

- ☐ a. Estimated cost of integral parts of the system
- ☐ b. Detailed estimated annual cost of operation
- ☐ c. Proposed methods to finance both capital charges and operating expenses



PWSID: _____
Date Received: _____
SRF Tracking Number: _____
County: _____

Exhibit 3

Iowa Department of Natural Resources
Water Supply Engineering Section

APPLICATION FOR INCLUSION ON PROJECT PRIORITY LIST DRINKING WATER STATE REVOLVING FUND INTENDED USE PLAN (IUP)

This form may be used to apply for inclusion on the project priority list of DWSRF IUP at the time the Preliminary Engineering Report is submitted. IUPs are developed on an annual basis with quarterly updates as needed. **This form is not an application for a loan.** DWSRF loan application materials may be obtained from the Iowa Finance Authority (IFA) at 800-432-7230, e-mail lori.beary@iowa.gov or at www.iowafinanceauthority.gov when the project is ready for a construction loan.

Instructions:

Complete the requested information in the following sections to the best of your ability. Please print or type the information on the form. If a particular item does not apply to your system, enter n/a for "not applicable." Attach supporting documentation as needed. Keep a copy of the completed application for your records, submit a copy to your engineer, and submit the original signed form to the following address:

Jennifer Bunton, P.E.
Iowa Department of Natural Resources
401 SW Seventh Street, Suite M
Des Moines, IA 50309

Section 1: Applicant Information

Applicant Name:	
Applicant Address:	
Authorized Representative:	
Signature:	
Title:	
Telephone Number:	
E-mail:	
Consulting Engineer:	
Firm:	
Telephone Number:	
E-mail:	
Population Served:	Community: _____ Service Area: _____
Number of Service Connections:	

Profit Status of the System (for Nontransient Noncommunity systems only):	Check one: <input type="checkbox"/> Not for profit system <input type="checkbox"/> Profit System
Percentage of Population meeting LMI criteria:	_____ %
Method of determining percentage LMI	Check one: <input type="checkbox"/> 2000 Census <input type="checkbox"/> Income survey (if checked, list party that conducted survey) _____
If the percentage of population served by the project is greater than 51% LMI, this project may be eligible for an extended loan term (up to 30 years.)	Are you interested in an extended loan term? <input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Project Schedule	Final plan and specification date: _____ Construction Initiation Date: _____ Date You Intend to Sign a Loan Agreement: _____

Section 2: Brief Project Summary (Attach additional pages if necessary.)

Describe the reasons for the proposed project: (i.e. specific water quality problem or system improvement)
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Describe the proposed project: (i.e., specific solution to the water quality problem, or proposed system improvement)
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

Which other funding programs are you considering to assist in completion of this project?	Check all that apply: <input type="checkbox"/> Community Development Block Grant (CDBG) <input type="checkbox"/> Rural Development Grant and/or Loan <input type="checkbox"/> Clean Water State Revolving Fund (for water system waste treatment projects) <input type="checkbox"/> Reserve Funds <input type="checkbox"/> Other: _____
Does your project involve a consolidation of two or more water systems?	Check one: <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list systems and populations served: _____ _____

Section 3: Project Cost

Cost Category	Estimated Total Cost, \$
Administration, legal	
Land, structures, right-of-way, appraisals	+
Relocation expenses	+
Architectural and engineering fees	+
Project inspection fees	+
Soil investigation, Site work, demolition, debris removal	+
Construction	+
Equipment	+
Miscellaneous	+
PROJECT SUBTOTAL	=
Contingencies	+
Planning and design loan proceeds, if rolling into construction loan	+
Less "funds requested from other sources"	-
LOAN SUBTOTAL	=
Loan Initiation Fee (Loan Subtotal x .01)	+
TOTAL IUP REQUEST	=

*Supporting materials may be requested to document funding requests and system needs.

Please include the following items with your application:

- ☐ Two official copies of the Preliminary Engineering Report, if not already submitted.

If already submitted, date submitted: _____

- ☐ Completed Viability Assessment Manual, available for download on our website at <http://www.iowadnr.com/water/viability/manual.html>

- ☐ Map of project area, if not included in Preliminary Engineering Report

Exhibit 4
Iowa Department of Natural Resources
Water Supply Engineering Section
SRF Environmental Review Services Checklist

The following checklist provided for the Owner and Consultant in order to provide the appropriate information to utilize the SRF Environmental Review Services (ERS). Please provide the following to the SRF ERS Coordinator:

- ☐ A listing of any other planned sources of federal funding to better coordinate environmental review efforts
- ☐ An accurate map of the site with marked boundaries; if the specific area has yet to be specifically defined, please mark a larger area that will include the final project area
- ☐ A project description detailing the project scope
- ☐ A description of any ancillary impact—destruction or abandonment of current building/structures, borrow pits, staging area, new access for roads/utility lines.
- ☐ A description of the existing environment without the project including:
 - ☐ The current use(s) of the project area and immediate vicinity
 - ☐ The current habitat of the project area and immediate vicinity
 - ☐ If farmland is going to be converted to non-farmland, please provide answers to the following:
 - ☐ What is the size of the farm unit(s) containing the project area?
 - ☐ How much of the project area has been farmed (managed for a scheduled harvest or timber activity) more than 5 of the last 10 years?
 - ☐ How much of the project area will be converted from agricultural use as a result of the proposed project?
- ☐ Photos of the project site showing current use and habitat (digital files are preferred)
- ☐ A description of the expected future environment without the project if it is expected to change from the existing environment.
- ☐ A short discussion of other feasible options (alternative locations, techniques, methods, or capacities considered) and the rationale used to select the proposed project over these other options
- ☐ Contact information for the property landowner if an archeological survey becomes necessary
- ☐ A listing of any expected impacts to the environment, if known, and a listing of any planned steps to minimize adverse effect.

Exhibit 5
Iowa Department of Natural Resources
Water Supply Engineering Section
Public Notice Example

PUBLIC HEARING NOTICE

The City of Iowaville will be holding a Public Hearing to review an application for a State Revolving Fund (SRF) loan from the Iowa Department of Natural Resources, and to make available to the public the contents of an environmental information document and the City's project plan. These documents include design and environmental information related to the proposed improvements to the City's water supply system.

The proposed project involves the construction of a new well, installation of new water mains, and upgrades to the water treatment facility.

The purpose of this Public Hearing is to inform area residents of the community of Iowaville of this proposed action, discuss the actual cost and user fees associated with this project, and to address citizen's concerns, if any, with the plan.

The Public Hearing location and time are as follows:

September 25, 2005 – 7:30 p.m.
Iowaville City Hall
1102 Main Street
Iowaville, Iowa 50000

All interested persons are encouraged to attend this hearing. Written comments on this proposal may also be submitted prior to the hearing. Questions regarding this hearing or the availability of documentation may be directed to the City Clerk's Office at 515-352-3065.

Exhibit 6
Iowa Department of Natural Resources
Water Supply Engineering Section
Public Hearing Checklist

A public hearing must be held locally if the Drinking Water State Revolving Fund will be used for financing the project. A local hearing is not a requirement for non-SRF projects. The hearing must be held as part of the local acceptance of the facility plan prior to submittal to the DNR.

- ☐ Adequate public notification provided to the media and all interested parties at least 30 days prior to the hearing. The purpose of the public hearing must be identified in the notification.
- ☐ Reports, documents and data relevant to the discussion at the public hearing shall be available at the project central depository for public review generally not less than 30 days before the public hearing.
- ☐ Hearings must be held at convenient times and places.
- ☐ Final alternative strategies, environmental impacts, and institutional arrangements including user charge estimates should be discussed.
- ☐ All interested parties should be allowed adequate time to present their views. A question and answer period is recommended.
- ☐ The municipality shall prepare a transcript, recording or other complete record of the hearing and make it available for public review.
- ☐ A responsiveness summary (summary of public comments) and proof of publication must be submitted to the Environmental Review Services Coordinator.

Exhibit 7
Iowa Department of Natural Resources
Water Supply Engineering Section
DWSRF Required Front-End Specifications

U.S. Environmental Protection Agency
CERTIFICATION OF NON-SEGREGATED FACILITIES

(This form must be submitted with the bid.)

(Applicable to contracts, subcontracts, and agreements with applicants who are themselves performing Federally assisted construction contracts, exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause.)

By the submission of this bid, the bidder, offeror, applicant, or subcontractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. He certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The bidder, offeror, applicant, or subcontractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. He further agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause; that he will retain such certifications in his files; and that he will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

**NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR
CERTIFICATIONS OF NON-SEGREGATED FACILITIES**

A Certification of Non-segregated Facilities, as required by the May 9, 1967, order (33 F.R. 7808, May 28, 1968) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

Signature

Date

Name and Title of Signer (Please Type)

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

EPA-7 5720-4.2

United States Environmental Protection Agency Washington, DC 20460
**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS**

(This form must be submitted with the bid.)

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated or cause or default.

I understand that a false statement on this certification may be ground for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative

Signature of Authorized Representative

Date

☐ I am unable to certify to the above statements. My explanation is attached.

MBE/WBE/SBRA SOLICITATION

(This form must be submitted with the bid.)

Bidders/offers must fully comply with the requirements of 40 CFR 35 and Section 129 of P.L. 100-590 to award a fair share of subagreements to minority (MBE), women's (WBE) and small rural area (SBRA) business enterprises. The requirements include:

- Taking affirmative steps for MBE/WBE/SBRA participation
- Documenting the efforts and the proposed utilization of MBE/WBE/SBRAs

PROJECT INFORMATION

SRF Applicant:	
Bidder:	
Address:	
Contact Person:	
Signature:	
Phone Number:	
E-Mail Address:	
Check if General Contractor is: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBRA	
Will subcontractors be sought under this contract? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<i>If yes, please complete the rest of the form.</i>	

AFFIRMATIVE STEPS CHECKLIST

Please complete the checklist to determine if you have complied with the requirement to take affirmative steps. Bidders/offers must take affirmative steps prior to submission of bids/proposals.

1. When feasible, did you segment total work requirements to permit maximum MBE/WBE/SRBA participation? ☐ Yes ☐ No
2. Where feasible, did you establish delivery schedules that would encourage participation by MBE/WBE/SRBAs? ☐ Yes ☐ No
3. Do you assure that MBEs, WBEs, and SRBAs are solicited whenever they are potential sources of goods and services? ☐ Yes ☐ No
4. Did you send letters or make other personal contacts at the time that other potential subcontractors were contacted, providing specific description of the work to be subcontracted, how and where to obtain a copy of the plans and specifications, date quotation is due, and contact information? ☐ Yes ☐ No

5. List the potential MBE/WBE/SBRA subcontractors that were contacted:

Name	How Contacted (e.g. letter, phone call, fax, e-mail)	Response (e.g. did not respond, not interested, not competitive)

Note: A list of qualifying businesses is available at www.state.ia.us/government/dia/page4.html. Another construction-related Disadvantage Business Directory is at www.ia.bidx.com/lettings.

PROPOSED UTILIZATION OF MBE/WBE/SBRA SUBCONTRACTORS

Please list the qualifying businesses the bidder proposes to utilize.

1. ☐ MBE Subcontractor: _____
 ☐ WBE Address: _____
 ☐ SBRA Contact: _____
 Telephone: _____
 Amount of Subcontract: _____
 Scope of Work: _____

2. ☐ MBE Subcontractor: _____
 ☐ WBE Address: _____
 ☐ SBRA Contact: _____
 Telephone: _____
 Amount of Subcontract: _____
 Scope of Work: _____

3. ☐ MBE Subcontractor: _____
 ☐ WBE Address: _____
 ☐ SBRA Contact: _____
 Telephone: _____
 Amount of Subcontract: _____
 Scope of Work: _____

CIVIL RIGHTS CONTRACT PROVISIONS

- A. The Contractor, prior to award of a contract, shall submit certification acceptable to the Owner that he and all Subcontractors are in compliance with these requirements.
- B. The Contractor must comply with the following laws and regulations:
 - 1. Title VI of the Civil Rights Act of 1964 (P.L. 88-352).
 - a. Under Title VI of the Civil Rights Act of 1964 (P.L. 88-352), no person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Further requirements are specified in 24 CFR Part 1.)
 - 2. Iowa Civil Rights Act of 1965 (Iowa Executive Orders 15 and 34).
 - 3. Section 109 of Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309).
 - 4. The Age Discrimination Act of 1975, as amended (42 U.S.C. 1601 et seq.).
 - a. The Contractor agrees that no person shall be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program activity receiving federal funds.
 - 5. Section 504 of the Rehabilitation Act of 1973, as amended (P.L. 93-112, 29 U.S.C. 794).
 - 6. Americans with Disabilities Act (P.L. 101-336, 42 U.S.C. 12101-12213).
 - 7. Section 3 of the Housing and Urban Development Act of 1968, as amended (112 U.S.C. 1701u).
 - 8. Title VIII of the Civil Rights Act of 1968, as amended.
 - 9. Federal Executive Order 11063, as amended by Executive Order 12259.
 - 10. Federal Executive Order 11246, as amended.

CODE OF IOWA REQUIREMENTS IN FRONT-END SPECIFICATIONS

Bid Advertising Time: Bid advertising time for SRF project must comply with the applicable sections of the Code of Iowa, 362.3 and 384.96. Notice to bidders must be published not less than 4 nor more than 45 days before the bid filing date. Publication must be in a newspaper published at least once weekly and having general circulation within the city. If the city has a population 200 or less, publication may be made by posting in three public places in the city, which have been permanently designated by ordinance. Each project should be reviewed by the city and the city's consultant and an appropriate length of time for bid advertising agreed upon. While not required, the Department recommends a minimum of 30 days.

Award of Contract: The specifications must fully explain the basis for determining the low bidder and include a statement that the contract(s) will be awarded to the lowest responsive, responsible bidder"

(Code of Iowa 384.99). The Code of Iowa further states that “contracts relating to public utilities...may be awarded by the governing body as it deems to be in the best interest of that city”. However, in practice, the standard of proof required in court cases to show “the best interest of that city” has been so extensive and complex that ordinarily it would not be reasonable to award a contract to other than the lowest responsible bidder.

Bid Bond: Each bidder must be required to furnish, along with their bids, a bid guarantee subject to Code of Iowa 384.98.

CODE OF IOWA 384.98. The amount of bid security must be fixed by the governing body prior to ordering publication of the notice to bidders and must equal at least five percent, but may not exceed ten percent of either the estimated total contract cost of the public improvement, or the amount of each bid.

Performance Bond: Prior to award of contract, the contractor is required to provide a performance bond subject to the appropriate requirements in Code of Iowa 573.2 through 573.5. The specifications must include a provision, which requires this bond. This bond is mandatory and “shall not be limited or avoided by contract” (573.3). The bond amount is set by the city and “shall not be less than 75% of the contract price” (573.5).

Definite Completion Time: The specifications should clearly state the maximum calendar or work days allowed for completion of the project. Construction scheduling and timely project completion are significant for three reasons:

1. Construction and initial operations schedules fixed by Administrative Order must be observed and are specifically required by SRF loan agreements.
2. Principal repayment begins one year after project completion. Project completion “means the date operations of the project are initiated or are capable of being initiated, whichever is earlier” (IAC 567-92.3(455B)). The projected date of initiation of operations set by the city and the IDNR in the loan agreement is the project completion date. This date cannot be set forward, only back; ie. regardless of the actual date of completion of construction and initiation of operations, at the latest, loan repayment begins one year after the projected date in the loan agreement.
3. All of the SRF funds in the loan agreement must be disbursed to the city within three years of the state bond sale.

Standard Federal Equal Employment Opportunity Construction Contract Specifications (Executive Order 11246)

1. As used in these specifications:
 - a. “Covered area” means the geographical area described in the solicitation from which this contract resulted;
 - b. “Director” means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority;
 - c. “Employer identification number” means the Federal Social Security number used on the Employer's Quarterly Federal Tax Return, U.S. Treasury Department Form 941.
 - d. “Minority” includes:
 - (i) Black (all persons having origin in any of the Black African racial groups not of Hispanic origin);
 - (ii) Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South

American or other Spanish Culture or origin, regardless of race);
(iii) Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent, or the Pacific Islands);
and
(iv) American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification).

2. Whenever the Contractor, or any Subcontractor at any tier subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of \$10,000 the provisions of these specifications and the Notice which contains the applicable goals for minority and female participation and which is set forth in the solicitations from which this contract resulted.

3. If the Contractor is participating (pursuant to 41 CFR 6-4.5) in a Hometown Plan approved by the U.S. Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work in the Plan area (including goals and timetables) shall be in accordance with that Plan for those trades which have unions participating in the Plan. Contractors must be able to demonstrate their participation in and compliance with the provisions of any such Hometown Plan. Each Contractor or Subcontractor participating in an approved Plan is individually required to comply with its obligations under the EEO clause, and to make a good faith effort to achieve each goal under the Plan in each trade in which it has employees. The overall good faith performance by other Contractors or Subcontractors toward a goal in an approved Plan does not excuse any covered Contractor's or Subcontractor's failure to take good faith efforts to achieve the Plan goals and timetables.

4. The Contractor shall implement the specific affirmative action standards provided in paragraphs 7a through p of these specifications. The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minority and female utilization the Contractor should reasonably be able to achieve in each construction trade in which it has employee in the covered area. Covered construction contractors performing construction work in geographical areas where they do not have a Federal or federally assisted construction contract shall apply the minority and female goals established for the geographical area where the work is being performed. Goals are published periodically in the Federal Register in notice form, and such notices may be obtained from any Office of Federal Contract Compliance Programs office or from Federal procurement contracting officers. The Contractor is expected to make substantially uniform progress in meeting its goals in each craft during the period specified.

5. Neither the provisions of any collective bargaining agreement, nor the failure by a union with whom the Contractor has a collective bargaining agreement, to refer either minorities or women shall excuse the Contractor's obligations under these specifications, Executive Order 11246, or the regulations promulgated pursuant thereto.

6. In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, such apprentices and trainees must be employed by the Contractor during the training period, and the Contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees must be trained pursuant to training programs approved by the U.S. Department of Labor.

7. The Contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the Contractor's compliance with these specifications shall be based upon its effort to achieve maximum results from its actions. The Contractor shall document these efforts fully, and shall implement affirmative action steps at least as extensive as the following:

- a. Ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which the Contractor employees are assigned to work. The Contractor, where possible will assign two or more women to each construction project. The Contractor shall specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.
- b. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the Contractor or its unions have employment opportunities available and maintain a record of the organizations' responses.
- c. Maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority or female referral from a union, a recruitment source or community organization and of what action was taken with respect to each such individual. If such individual was sent to the union hiring hall for referral and was not referred back to the Contractor by the union or, if referred, not employed by the Contractor, this shall be documented in the file with the reason therefore, along with whatever additional actions the Contractor may have taken.
- d. Provide immediate written notification to the Director when the union or unions with which the Contractor has a collective bargaining agreement has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process has impeded the Contractor's effort, to meet its obligations.
- e. Develop on-the-job training opportunities and/or participate in training programs for the area which expressly include minorities and women, including upgrading programs and apprenticeship and trainee programs relevant to the Contractor's employment needs, especially those programs funded or approved by the Department of Labor. The Contractor shall provide notice of these programs to the source complied under 7b above.
- f. Disseminate the Contractor's EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the Contractor in meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publicizing it in the company newspaper, annual report, etc.; by specific review of the policy with all management personnel and with all minority and female employees at least once a year; and by posting the company EEO policy on bulletin boards accessible to all employees at each location where construction work is performed.
- g. Review, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions including specific review of these items with onsite supervisory personnel such as Superintendents, General Foremen, etc., prior to the initiation of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.
- h. Disseminate the Contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, and providing written notification to and discussing the Contractor's EEO policy with other Contractors and Subcontractors with whom the Contractor does or anticipates doing business.
- i. Direct its recruitment efforts, both oral and written, to minority, female and community organizations, to schools with minority and female students and to minority and female recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment source, the Contractor shall send written notification to organizations such as the above, describing the openings, screening procedures, and test to be used in the selection process.

- j. Encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school, summer and vacation employment to minority and female youth both on the site and in other areas of a Contractor's workforce.
- k. Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3.
 - l. Conduct, at least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc., such opportunities.
 - m. Ensure that seniority practices, job classifications work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO policy and the Contractor's obligations under these specifications are being carried out.
 - n. Ensure that all facilities and company activities are nonsegregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.
 - o. Document and maintain a record of all solicitations of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations.
 - p. Conduct a review, at least annually, of all supervisors' adherence to and performance under the Contractor's EEO policies and affirmative action obligations.

8. Contractors are encouraged to participate in voluntary associations which assist in fulfilling one or more of their affirmative action obligations (7a through p). The efforts of a contractor association, joint contractor-union, contractor-community, or other similar group of which the contractor is a member and participant, may be asserted as fulfilling any one or more of its obligations under 7a through p of these Specifications provided that the contractor actively participates in the group, makes every effort to assure that the group has a positive impact on the employment of minorities and women in the industry, ensures that the concrete benefits of the program are reflected in the Contractor's minority and female workforce participation, makes a good faith effort to meet its individual goals and timetables, and can provide access to documentation which demonstrates the effectiveness of actions taken on behalf of the Contractor. The obligation to comply, however, is the Contractor's and failure of such a group to fulfill an obligation shall not be a defense for the Contractor's noncompliance.

9. A single goal for minorities and a separate single goal for women have been established. The Contractor, however, is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority. Consequently, the Contractor may be in violation of the Executive Order if a particular group is employed in a substantially disparate manner (for example, even though the Contractor has achieved its goals for women generally, the Contractor may be in violation of the Executive Order if a specific minority group of women is underutilized).

10. The Contractor shall not use the goals and timetable or affirmative action standards to discriminate against any person because of race, color, religion, sex, or national origin.

11. The Contractor shall not enter into any Subcontract with any person or firm debarred from Government contracts pursuant to Executive Order 11246.

12. The Contractor shall carry out such sanctions and penalties for violation of these specifications and of the Equal Opportunity Clause, including suspension, termination and cancellation of existing subcontracts as may be imposed or ordered pursuant to Executive Order 11246, as amended, and its implementing regulations, by the Office of Federal Contract Compliance Programs. Any Contractor who

fails to carry out such sanctions and penalties shall be in violation of these specifications and Executive Order 11246, as amended.

13. The Contractor, in fulfilling its obligations under these specifications, shall implement specific affirmative action steps at least as extensive as those standards prescribed in paragraph 7 of these specifications so as to achieve maximum results from its efforts to ensure equal employment opportunity. If the Contractor fails to comply with the requirements of the Executive Order, the implementing regulations, or these specifications, the Director shall proceed in accordance with 41 CFR 60-4.8.

14. The Contractor shall designate a responsible official to monitor all employment related activity to ensure that the company EEO policy is being carried out, to submit reports relating to the provisions hereof as may be required by the Government and to keep records. Records shall at least include for each employee the name, address, telephone numbers, construction trade, union affiliation if any, employee identification number when assigned, social security number, race, sex, status (e.g., mechanic, apprentice, trainee, helper, or laborer), dates of changes in status, hours worked per week in the indicated trade, rate of pay, and locations at which the work was performed. Records shall be maintained in an easily understandable and retrievable form; however, to the degree that existing records satisfy this requirement, contractors shall not be required to maintain separate records.

15. Nothing herein provided shall be construed as a limitation upon the application of other laws which establish different standards of compliance or upon the application of requirements for the hiring of local or other area residents (e.g., those under the Public Works Employment Act of 1977 and the Community Development Block Grant Program).

Federal Register, Vol. 43, No. 68 - Friday, April 7, 1978 (Corrected May 5, 1978). Effective Date: May 8, 1978

Federal Register, Vol. 45, No. 194. Paragraph 4, revised October 3, 1980

Effective Date: September 30, 1980

APPENDICES A and B-80

Notice of Requirement for Affirmative Action To Ensure Equal Employment Opportunity (Executive Order 11246)

1. The Offeror's or Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Specifications" set forth herein.
2. The goals and timetables for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

(See Appendix B-80 and Appendix A Below)

These goals are applicable to all the Contractor's construction work (whether or not it is Federal or federally assisted) performed in the covered area. If the contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its federally involved and non-federally involved construction.

The Contractor's compliance with the Executive Order and in the regulations in 41 CFR Part 60—4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR 60—4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade, and the contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or

trainees from Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, the Executive Order and the regulations in 41 CFR Part 60—4. Compliance with the goals will be measured against the total work hours performed.

3. The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address and telephone number of the subcontractor, employer Identification number of the subcontractor, estimated dollar amount of the subcontract, and the geographical area in which the subcontract is to be performed.
4. As used in this Notice, and in the contract resulting from this solicitation, the "covered area" is (State of Iowa).

APPENDIX A

The following goals and timetables for female utilization shall be included in all Federal and federally assisted construction contracts and subcontracts in excess of \$10,000. The goals are applicable to the contractor's aggregate on-site construction workforce whether or not part of that workforce is performing work on a Federal or federally assisted construction contract or subcontract.

Area covered: Goals for Women apply nationwide.

Timetable Goals (percent)

From Apr. 1, 1978 until March 31, 1979	3.1
From Apr. 1, 1979 until March 31, 1980	5.0
From Apr. 1, 1980 until March 31, 1981	6.9

Published, Federal Register May 5, 1978

APPENDIX B-80

Until further notice, the following goals for minority utilization in each construction craft and trade shall be included in all Federal or federally assisted construction contracts and subcontracts in excess of \$10,000 to be performed in the respective geographical areas. The goals are applicable to each nonexempt contractor's total onsite construction workforce, regardless of whether or not part of that workforce is performing work in a Federal, federally assisted or nonfederally related project, contract or subcontract. Construction contractors which are participating in an approved Hometown Plan (see 41 CFR 60—4.5) are required to comply with the goals of the Hometown Plan with regard to construction work they perform in the area covered by the Hometown Plan. With regard to all their other covered construction work, such contractors are required to comply with the applicable SMSA of EA goal contained in this appendix B-80.

Economic Areas

State: Iowa	Goal %
096 Dubuque IA:	
SMSA Counties:	
2200 Dubuque, IA	0.6
IA Dubuque	
Non-SMSA	
Counties	0.5

IA Allamakee, IA Clayton, IA Delaware, IA, Jackson IA, Winneshiek

099 Davenport Rock Island Moline, IA-IL:

SMSA Counties:

1960 Davenport Rock Island Moline, IA-IL 4.6

IL Henry, IL Rock Island Moline, IA Scott

Non-SMA

Counties 3.4

IL Carroll, IL Hancock, IL Henderson, IL ,Mercer, IL Whiteside, IA Clinton, IA Des
Moines, IA Henry, IA Lee, IA Louisa, IA, Muscatine, MO Clark

100 Cedar Rapids, IA:

SMSA Counties:

1360 Cedar Rapids, IA 1.7

IA Linn

Non-SMSA Counties 1.5

IA Benton, IA Cedar, IA Iowa, IA Johnson, IA, Jones, IA, Washington

101 Waterloo, IA:

SMSA Counties:

8920 Waterloo-Cedar Falls, IA 4.7

IA Black Hawk

Non-SMSA Counties 2.0

IA Bremer, IA Buchanan, IA Butler, IA Cerro Gordo, IA Chickasaw, IA Fayette, IA Floyd, IA
Franklin, IA Grundy, IA Hancock, IA Hardin, IA Howard, IA Mitchell, IA Winnebago, IA Worth

102 Fort Dodge, IA:

Non-SMSA Counties 0.4

IA Buena Vista, IA Calhoun, IA Carroll, IA Clay, IA Dickinson, IA Emmet, IA Greene, IA
Hamilton, IA Humboldt, IA Kossuth, IA Palo Alto, IA Pocahontas, IA Sac, IA Webster, IA
Wright

103 Sioux City, IA:

SMSA Counties:

7720 Sioux City, IA-NE 1.9

IA Woodbury, NE Dakota

Non-SMSA Counties 1.2

IA Cherokee, IA Crawford, IA Ida, IA Monona, IA O'Brien, IA Plymouth, IA Sioux, NE
Antelope, NE Cedar, NE Cuming, NE Dixon, NE Knox, NE Madison, NE Pierce, NE Stanton,
NE Thurston, NE Wayne, SD Bon Homme, SD Clay, SD Union, SD Yankton

104 Des Moines, IA:

SMSA Counties:

2120 Des Moines, IA 4.5

IA Polk, IA Warren

Non SMSA Counties: 2.4

IA Adair, IA Appanoose, IA Boone, IA Clarke, IA Dallas, IA Davis, IA Decatur, IA Guthrie, IA

Jasper, IA Jefferson, IA Keokuk, IA Lucas, IA Madison, IA Mahaska, IA Marion, IA Marshall,
IA Monroe, IA Poweshiek, IA Ringgold, IA Story, IA Tama, IA Union, IA Van Buren, IA
Wapello, IA Wayne

143 Omaha, NE:

SMSA Counties:

5920 Omaha, NE-IA 7.6
IA Pottawattamie, NE Douglas, NE Sarpy

Non-SMSA Counties 5.3

IA Adams, IA Audubon, IA Cass, IA Fremont, IA Harrison, IA Mills, IA Montgomery, IA
Page, IA Shelby, IA Taylor, NE Burt, NE Cass, NE Colfax, NE Dodge, NE Platte, NE
Saunders, NE Washington

Published, Federal Register October 3, 1980

Executive Order No. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

The Civil Rights Act of 1964, Federal Water Pollution Control Act Amendments of 1972, Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Executive Order No. 12898 prohibit discrimination in the provision of services or benefits, on the basis of race, color, national origin, sex, handicap or age, in programs or activities receiving federal financial assistance. If, for example, a municipality received EPA assistance to build a wastewater treatment plant, it may not decline to provide service from the plant to a particular neighborhood because of its racial composition. As the preface to this section noted, the Civil Rights Act, the Rehabilitation Act, and the Age Discrimination Act were amended in 1988 to clarify that their anti-discrimination provisions apply to the entire operations of an assistance recipient, not just to the specific program, project, or activity that is the objective of the assistance. The reach of these statutes and section 13 of the CWA, which contains language instructing EPA to treat its sex discrimination provisions in a manner similar to the Civil Rights Act, extends beyond that of other cross-cutting authorities.

The seminal anti-discrimination law is the 1964 Civil Rights Act. Its prohibitions have served as a model for all subsequent laws barring various forms of discrimination in federally assisted programs or activities, as the following excerpts from those laws demonstrate:

- No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (42 U.S.C. §2000d (1988))
- No person in the United States shall, on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under ... the federal Water Pollution Control Act... (Pub. L. No. 92-500 §13, 86 Stat 816 (1972))
- No otherwise qualified individual with a disability in the United States ... shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance...(29 U.S.C. §794(a) (1998))
- No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (42 U.S.C. §6102 (1994))

In 1994, President Clinton signed Executive Order No. 12898 to promote nondiscrimination in federal programs significantly affecting human health or the environment and to provide minority and low-income communities with access to information and the opportunity to participate in matters affecting human health and the environment. The Order requires each federal agency to ensure those programs or activities receiving federal financial assistance that affect human health or the environment do not discriminate on the basis of race, color, or national origin. In addition, for any federal action requiring a NEPA analysis, each federal agency must consider the environmental, economic, and social effects on minority and low-income communities. EPA issued an environmental justice strategy on April 3, 1995. (EPA/200-R-95-002).

NONDISCRIMINATION IN EMPLOYMENT (INSTRUCTIONS TO BIDDERS)

By the submission of its bid, each bidder acknowledges that he understands and agrees to be bound by the equal opportunity requirements of EPA regulations (40 CFR Part B, particularly Section 8.4(b)), which shall be applicable throughout the performance of work under any contract awarded pursuant to this solicitation. Each bidder agrees that if awarded a contract, it will similarly bind contractually each subcontractor. In implementation of the foregoing policies, each bidder further understands and agrees that if awarded a contract, it must engage in affirmative action directed at promoting and ensuring equal employment opportunity in the workforce used under the contract (and that it must require contractually the same effort of all subcontractors whose subcontracts exceed \$10,000). The bidder understands and agrees that "affirmative action" as used herein shall constitute a good faith effort to achieve and maintain that amount of minority employment in the on-site workforce used on the project which corresponds, for each trade used, to the minority population in the serving labor market area from which workers are reasonably available for hire for the project.

RECOMMENDED STATEMENT IN ADVERTISEMENT FOR BIDS DEBARMENTS AND SUSPENSIONS

Any bidder or equipment supplier whose firm or affiliate is listed in the GSA publication "List of Parties Excluded from Federal Procurement and Non-procurement Programs" will be prohibited from the bidding process. Anyone submitting a bid who is listed in this publication will be determined to be a non-responsive bidder in accordance with 40 CFR Part 31.

A contractor's Suspension/Debarment Certification will be contained in the specifications (see attachment 2); however, this certification should not preclude any interested party from ascertaining whether the certifying person is actually on the "List of Parties Excluded from Federal Procurement and Nonprocurement Programs."

OTHER DWSRF LOAN PROJECT FRONT-END SPECIFICATIONS

Violating Facilities List: The specifications and contract documents must contain a statement requiring compliance of all parties to the contract with 40 CFR 31.36(i)(12) which prohibits the contractor from procuring materials or equipment from facilities on the EPA List of Violating Facilities. The most current List of Violating Facilities can be found in the monthly General Services Administration publication entitled "Lists of Parties Excluded from Federal Procurement or Non-procurement Programs".

This requirement arises from Section 306 of the Clean Air Act and Section 508 of the Clean Water Act. These two sections of the two different Acts are very similar. Section 306 requires that persons and facilities owned or operated by persons convicted for violations of Section 113(c)(2) of the Clean Air Act are prohibited from entering into Federal contracts and this extends to Federal Assistance by way of grants and loans. Section 113 (c)(2) violations concern falsification of records etc. and tampering with monitoring devices etc. required by persons and facilities owned or operated by persons convicted for violations of Section 309(c) of the Clean Water Act are prohibited from Federal Assistance. Section 309(c) violation of water pollution laws and provides criminal penalties for these violations.

The List of Violating Facilities is a listing of facilities owned or operated by persons convicted under these sections of the CAA and the CWA. CFR 40 Part 15 is a description of the list and explains procedures for placement of facilities on it. Under CFR 40 part 15, the List of Violating Facilities is to be published in the Federal Register on or about February 1 and August 1 of each year. However, the list was last published in the Federal Register on February 12, 1991. The monthly GSA publication, "Lists of Parties Excluded from Federal Procurement or Nonprocurement Programs" provides the most recent List of Violating Facilities.

***Access to and Retention of Records:** The contractor shall maintain all records documenting all costs associated with the project for a period of three (3) years from the date of the final payment to the contractor. All records shall be preserved and made available to the Iowa Department of Natural Resources, the State Auditor, and the USEPA Office of the Inspector General or their authorized representatives. The contractor must allow access to these records and the project site for inspection and audit purposes by the Department, the State Auditor, and the USEPA Office of the Inspector General or their authorized representatives for a period of three (3) years from the date of the final payment to the contractor.*

Clean Air Act: Compliance with all applicable standards, orders, and requirements of the following laws and regulations:

- Section 306 of the Clean Air Acts (42 U.S.C. 1857(h)).
- Section 508 of the Clean Water Act (33 U.S.C. 1368).
- Executive Order 11738.
- EPA Regulations - 40 CFR, Part 15.

Exhibit 8
Iowa Department of Natural Resources
Water Supply Engineering Section
DWSRF Disadvantaged Community Loan Term Worksheet

Loan Recipient: _____

PWSID: _____

Total cost being financed with DWSRF loan: \$ _____

Worksheet for Calculating Weighted Maturity

Asset	Dollar Value	x Estimated Useful Life	= Extension
Intake Structure		40	
Wells		30	
Galleries		35	
Chlorination Equipment		12.5	
Other Treatment Equipment		12.5	
Storage Tanks		45	
Pumps		12.5	
Buildings		45	
Electrical Systems		8.5	
Transmission Mains		37.5	
Distribution Pipes		37.5	
Valves		37.5	
Blow-off Valves		37.5	
Backflow Prevention		37.5	
Meters		12.5	
Hydrants		50	
Lab Monitoring Equipment		6	
Landscaping/Grading		50	
Office Furniture/Supplies		10	
Computers		5	
Total			

dollar value spent on specified item x estimated useful life = extension
total extension / total dollars spent = weighted useful life

Consulting Engineer: _____
(Print)

Consulting Engineer Signature: _____

Exhibit 9
Iowa Department of Natural Resources
Drinking Water State Revolving Fund
Bid Document Checklist

When bids are received and the Owner accepts a bid proposal, the Consultant prepares and submits to DNR a packet of documents. Required documents are listed below. Please submit the completed checklist with the bid document packet. When all the information is complete, DNR issues to the Owner a letter of concurrence in award, which also explains the amount of bid that is eligible for DWSRF reimbursement.

Date:

From:

DWSRF Project No.

The following documents are enclosed for review and approval prior to contract award:

Engineering Documents

- ☐ One set of as-bid plans and specifications
- ☐ Tabulation of bids
- ☐ Engineer's written recommendation of award
- ☐ Engineering Services Agreement

Contractor Documents

- ☐ Successful bid and/or proposal loan recipient chooses to accept
- ☐ Any addenda not previously submitted and bidder acknowledgment of all addenda
- ☐ Attachment 1: Certification of Nonsegregated Facilities
- ☐ Attachment 2: Suspension and Debarment Certification
- ☐ Attachment 3: MBE/WBE/SBRA Solicitation
- ☐ Contract (if available)
- ☐ Bonds (if available)
- ☐ Notice to Proceed (if available)

***For more information, please contact Patti Cale-Finnegan at 515-725-0498 or
patti.cale-finnegan@dnr.state.ia.us.***

